

NOVATION CHECKLIST 2/9/99

TRANSFEROR: _____

☐ Corporation (Inc.) ☐ Other

TRANSFeree: _____

☐ Corporation (Inc.) ☐ Other

EFFECTIVE DATE OF TRANSFER: _____

Item Number	Item	FAR Reference
Alternative Formulations are NOT Authorized for Items 1 through 6		
1 <input type="checkbox"/> Required in all cases	Three (3) signed copies of proposed Novation Agreement (Use format found at 42.1204(i))	42.1204(e) 42.1204(i)
2 <input type="checkbox"/> Required in all cases	The document describing the proposed transaction <i>e.g.</i> , purchase/sale agreement or memorandum of understanding Note: The instrument that effects the transfer (<i>See</i> Item 7) satisfies this requirement	42.1204(e)(1)
3 <input type="checkbox"/> Required in all cases	List of affected unsettled contracts/purchase orders (Must Include) ① Contract number and type Name and address of contracting office Total dollar value, as amended, and Approximate remaining unpaid balance	42.1204(e)(2)
4 <input type="checkbox"/> Required in all cases	Evidence of the TRANSFEREE'S capability to perform	42.1204(e)(3)
5 <input type="checkbox"/> As applicable	Relevant Information Requested by ACO	42.1204(e)(4)
6 <input type="checkbox"/> Required in all cases	ACO Determination that Novation is Consistent with the Government's Interest!	42.1204(h) 42.1203(c)
Alternative Formulations May be Acceptable in Proper Circumstances for Items 7 through 20 [See FAR 42.1204(g)]		
7 <input type="checkbox"/> Required in all cases	An authenticated copy of the instrument effecting the transfer of assets; <i>e.g.</i> , bill of sale, certificate of merger, contract, agreement or court decree Note: Ensure copies of all referenced documents are provided.	42.1204(f)(1)
8 <input type="checkbox"/> Applicable to corporations and other limited liability business organizations.	Certified copy of resolutions of board of directors of TRANSFEROR authorizing transfer	42.1204(f)(2)
9 <input type="checkbox"/> Applicable to corporations and other limited liability business organizations	Certified copy of resolutions of board of directors of TRANSFeree authorizing transfer	42.1204(f)(2)
10 <input type="checkbox"/> Applicable to corporations and other limited liability business organizations	Certified copy of minutes of stockholders' meeting approving transfer for TRANSFEROR	42.1204(f)(3)
11 <input type="checkbox"/> Applicable to corporations and other limited liability business organizations	Certified copy of minutes of stockholders' meeting approving transfer for TRANSFeree	42.1204(f)(3)
12 <input type="checkbox"/> If applicable	<i>If</i> TRANSFeree was a corporation formed to receive the assets involved in performing the Government contracts, authenticated copy of TRANSFeree'S certificate and articles of incorporation	42.1204(f)(4)
13 <input type="checkbox"/> Required in all cases	Opinion of legal counsel of TRANSFEROR stating: ① the transfer was properly effected under applicable law and the effective date of the transfer	42.1204(f)(5)
14 <input type="checkbox"/> Required in all cases	Opinion of legal counsel of TRANSFeree stating: ① the transfer was properly effected under applicable law and the effective date of the transfer	42.1204(f)(5)
15 <input type="checkbox"/> Required in all cases	Balance sheet of TRANSFEROR, certified for accuracy by independent accountants, as of immediately BEFORE the transfer	42.1204(f)(6)
16 <input type="checkbox"/> Required in all cases	Balance sheet of TRANSFEROR, certified for accuracy by independent accountants, as of immediately AFTER the transfer	42.1204(f)(6)
17 <input type="checkbox"/> Required in all cases	Balance sheet of TRANSFeree, certified for accuracy by independent accountants, as of immediately BEFORE the transfer	42.1204(f)(6)
18 <input type="checkbox"/> Required in all cases	Balance sheet of TRANSFeree, certified for accuracy by independent accountants, as of immediately AFTER the transfer	42.1204(f)(6)
19 <input type="checkbox"/> If security clearances are involved	Evidence that any security clearance requirements have been met	42.1204(f)(7)
20 <input type="checkbox"/> Required in all cases	Consent of sureties on all contracts if bonds are required OR Statement from TRANSFEROR that none are required	42.1204(f)(8)

Note: All documents are to be obtained from the Transferor [FAR 42.1204(e) and (f)]